

MOBILE VENDING POLICY – CITY OF DEXTER

1. OBJECTIVES

A. The objectives of this policy shall be in accordance with City Ordinance 2016-01 “An Ordinance establishing procedures for the licensing of mobile vendors in the City of Dexter.”

B. Definitions for relevant terminology may be found in Ordinance 2016-01, Section 1 “Definitions.”

2. APPLICATION REVIEW

A. Pushcart vendors will only be permitted to vend at specific locations in the City:

1. Grassy triangular piece of public property located immediately in front of 8060 Main St., between the businesses and Main Street.
2. The piece of public property located adjacent to 3203 Broad St., next to the free-standing clock.
3. The public alleyway adjacent to 8101 Main St. and 3150 Broad St.

B. No more than two (2) pushcart vendors shall be licensed in the City at any given point in time. Failure to use a Pushcart Vendor License for three (3) consecutive weeks may result in the license being revoked.

C. In accordance with City Ordinance 2016-01, applicants must submit an application to the City Manager or their designee, along with appropriate fees to be eligible for a Pushcart Vendor License. Information to be included on the application shall include:

1. The applicant's name, current business address and telephone number.
2. Current government-issued identification document with photo of the applicant and any designated agent or person proposed to conduct pushcart vending.
3. The name under which the pushcart vendor will be doing business.
4. The proposed location(s) or geographic area from which the applicant intends to engage in pushcart vending.
5. A brief description of the nature of the pushcart vending operation and the items to be sold.
6. County health permits, if applicable.
7. A description of the pushcart to be used in the pushcart vending operation.
8. Whether the applicant or his or her designated agent has ever had any vendor license revoked or suspended and the date and jurisdiction of the denial, suspension or revocation.

D. The City Manager or their designee will review applications for conformance with the stated requirements and grant the license or deny the application.

E. Applications will be considered on a first-come-first-served basis until the specified locations are reserved for any given period of time. The City Manager or their designee will coordinate the location of use.

3. LICENSE FEES

A. Each applicant to whom a license is granted under the Policy shall pay a nonrefundable fee based on the period of use in the following amounts:

1. Less than one year - \$250.00
2. Less than six months - \$125.00
3. Less than three months - \$75.00
4. Less than 24 hours - \$15.00

4. REQUIREMENTS – PUSCHART VENDORS

A. Pushcart vendors, with valid Pushcart Vendor Licenses, may engage in pushcart vending on public property at specifically designated locations in the City, subject to the following requirements:

1. Pushcart vending shall be subject to Chapter 54 of the City of Dexter's Code of Ordinances "Traffic and Vehicles."
2. Licensees shall not block or impair vehicular or pedestrian traffic.
3. Licensees shall not stop a on public property without being specifically approved for a specific location.
4. Licensees shall comply with all health requirements of the Federal Government, State of Michigan, and Washtenaw County health departments.
5. Licensees shall comply with Article 3 of the City of Dexter's Code of Ordinances "Noise," and specifically section 18-61 "Noise Restrictions."
6. Tables, carts, chairs, umbrellas or other vending-related installations separate from the pushcart shall not be erected on public property.
7. Licensees shall contain all materials and supplies in the pushcart and shall not store supplies or other materials on public property.
8. A pushcart shall not be left unattended for longer than 15 minutes.
9. Pushcart vending activity shall not violate the Americans with Disabilities Act.
10. No pushcart vendor shall operate between the hours of 11:00 p.m. and 8:00 a.m.
11. Any pushcart shall be removed from public property during the hours of non-operation.
12. Licensees shall keep the areas around their pushcart vending operation clean and free from litter at all times. A licensee shall remove all garbage and debris originating from its vending operation from the City and shall not dispose of its garbage and debris in City trash receptacles or City trash compactors unless authorized by the City.

13. Licensees shall supply a refuse container for public use that is capable of accommodating all refuse generated by the vending activity which shall be maintained and emptied regularly.
14. A pushcart vendor shall only use grills or other cooking facilities that are included as part of the original pushcart manufacturing. Unattached cooking facilities, including grills, are prohibited.
15. A pushcart vendor shall only use warming or refrigeration devices that are included as part of the original pushcart manufacturing.
16. Licensees shall not connect a pushcart to a source of City electricity, water, or sewer.
17. Public property shall not be altered and permanent fixtures of any kind shall not be installed on public property by the licensee. A pushcart shall not be secured or affixed to any public structure.
18. Licensees shall not use amplification or noise-making devices.
19. A pushcart's wheels shall be safely secured while the licensee is conducting business.

5. INDEMNITY AND INSURANCE

A. The Licensee shall, to the fullest extent permitted by law, defend, indemnify, and hold the City harmless against any claim that may arise from its use of public property. The Licensee shall obtain and maintain during the term of the license a comprehensive general liability insurance policy written on an occurrence basis having policy limits of no less than \$300,000 per occurrence. A certificate of insurance naming the City as an additional insured shall be filed by licensee with the approved application. The certificate shall provide that the City will receive 30 days prior written notice of cancellation or non-renewal.

Moved by: Tell

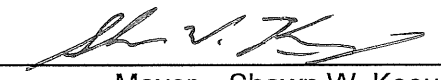
Seconded by: Carson

Yeas: Knight, Michels, Tell and Keough

Nays: Fisher, Smith and Carson

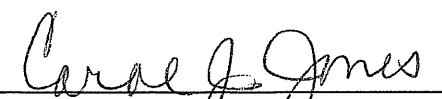
Absent: None

RESOLUTION DECLARED ADOPTED THIS 11TH DAY OF JANUARY, 2016.


Mayor – Shawn W. Keough

CERTIFICATION

I hereby certify that the attached is a true and complete copy of a resolution adopted by the City Council of the City of Dexter, County of Washtenaw, State of Michigan, at a regular meeting held on the 11th day of January, 2016.


Interim City Clerk – Carol J. Jones